

**UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF TEXAS  
AUSTIN DIVISION**

<p>JACQUELINE MCAFERTY, individually and on behalf of all others similarly situated;</p> <p style="text-align: right;">Plaintiff,</p> <p>v.</p> <p>ELON MUSK &amp; AMERICA PAC,</p> <p style="text-align: right;">Defendant.</p>	<p>Case No.: 1:24-cv-1346-RP</p> <p><b>CLASS ACTION COMPLAINT</b></p> <p><b>JURY TRIAL DEMANDED</b></p>
--	---

**STIPULATION TO EXTEND DEADLINE FOR  
PLAINTIFF TO RESPOND TO DEFENDANTS' MOTION TO DISMISS**

Plaintiff Jacqueline McAferty, individually and on behalf all others similarly situated, hereby stipulates with Defendants, Elon Musk and America Pac to extend Plaintiff's deadline to respond to Defendant's Motion to Dismiss, until Monday, February 17, 2025, and would respectfully show as follows:

1. Defendants filed their Motion to Dismiss on January 24, 2025 [Dkt. 5].
2. Plaintiff's response to the Motion is currently due February 7, 2025, pursuant to the local rules of the United States District Court for the Western District of Texas.
3. The parties have conferred and agree to extend the deadline for Plaintiff to file her response to Defendants' Motion to Dismiss to **Monday, February 17, 2025**.
4. This extension is sought in good faith and not for the purpose of delay.
5. No hearings are currently scheduled in this matter, and this extension will not impact any court deadlines.

Date: January 29, 2025

Respectfully submitted,

/s/ Jarrett L. Ellzey

Jarrett L. Ellzey  
Texas Bar No. 24040864  
jellzey@eksm.com  
Leigh S. Montgomery  
Texas Bar No. 24052214  
lmontgomery@eksm.com  
**EKSM, LLP**  
4200 Montrose, Suite 200  
Houston, Texas 77006  
Phone: (888) 350-3931  
Fax: (888) 276-3455

Josh Sanford  
Texas Bar No. 24077588  
josh@sanfordlawfirm.com  
**SANFORD LAW FIRM PLLC**  
10800 Financial Centre Pkwy, Ste 510  
Little Rock, Arkansas 72211  
Telephone: (501) 221-0088  
Facsimile: (888) 787-2040

**ATTORNEYS FOR PLAINTIFF**

and

/s/Anna Marie Mackin\*

Anne Maire Mackin  
Texas State Bar No. 24078898  
Vantage Legal PLLC  
P.O. Box 241016  
Austin, Texas 78734  
Phone: (512) 354-1785  
amackin@vantage.network

Andy Taylor  
Texas State Bar No. 19727600  
ANDY TAYLOR & ASSOCAITES, P.C.  
2628 Highway 36@, #288  
Brenham, Texas 77833  
Phone: (713) 412-4025  
ataylor@andytaylorlaw.com

**ATTORNEYS FOR DEFENDANTS**

**CERTIFICATE OF SERVICE**

I certify a copy of the foregoing document was filed in accordance with the protocols for e-filing in the United States District Court for the Western District of Texas on January 29, 2025 and served on all counsel of record who have appeared and consented to electronic notification *via* CM/ECF.

/s/Jarrett L. Ellzey  
Jarrett L. Ellzey